

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:

CHAPTER 11

MIDNIGHT MADNESS DISTILLING  
LLC

CASE NO. 21-11750 (MDC)

**THIRD ORDER (A) AUTHORIZING INTERIM USE OF CASH COLLATERAL AND  
GRANTING ADEQUATE PROTECTION;  
(B) SCHEDULING FINAL HEARING AND PRESCRIBING FORM AND  
MANNER OF NOTICE; AND (C) GRANTING RELATED RELIEF**

AND NOW, this 29th day of September, 2021, upon further consideration of the Debtor's Emergency Motion for use of its Cash Collateral pursuant to 11 U.S.C. § 363 (the "Motion"), and the Court having entered an Order on July 2, 2021 (Docket No. 89), authorizing the Debtor's use of Cash Collateral on an interim basis (the "First Interim Order"), and a second Order on August 26, 2021 (Docket No. 150) authorizing the further use of Cash Collateral (the "Second Interim Order") in accordance with the Stipulation between the Debtor and PNC (the "Stipulation"), and a further hearing having been held, it is hereby

ORDERED that the Debtor's use of Cash Collateral shall be in accordance with Section 1.09 of the Asset Purchase Agreement, approved by Order of this Court entered on September 20, 2021 (Docket No. 178); and it is further

ORDERED that PNC hereby agrees to a hold back from sale proceeds of up to \$25,000 to fund post-closing administrative expenses as approved by PNC; and it is further.

ORDERED that a further hearing to consider the Motion is scheduled for October 27, 2021 at 11:30 a.m. in Courtroom No. 2, United States Bankruptcy Court for the Eastern District of Pennsylvania, US Courthouse, 900 Market Street, Philadelphia PA 19107, and any objections

to the Motion must be filed with the Clerk of the Bankruptcy Court, and served upon counsel for the Debtor, Harry J. Giacometti on or before October 25, 2021 at 5:00 pm; and it is further

ORDERED that, a copy of this Order shall be served by the Debtor, or its counsel, by regular mail on the United States Trustee, the Debtor's secured creditors, all persons requesting notices herein, and the Debtor's twenty (20) largest unsecured creditors as identified in its bankruptcy petition, within five (5) days of receipt of a copy of this Order; and it is further

ORDERED that if notice is given in the manner provided above, said notice shall be sufficient and proper and in accordance with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure and the Local Rules of this Court.

BY THE COURT:



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Magdeline D. Coleman  
Chief U.S. Bankruptcy Judge